



General Assembly

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## Amendment

LCO No. 7655

**\*HB0649507655HD0\***

Offered by:

REP. CANDELARIA, 95<sup>th</sup> Dist.  
SEN. LOONEY, 11<sup>th</sup> Dist.  
SEN. MAYNARD, 18<sup>th</sup> Dist.  
SEN. AYALA, 23<sup>rd</sup> Dist.  
SEN. HARP, 10<sup>th</sup> Dist.  
SEN. CRISCO, 17<sup>th</sup> Dist.  
REP. ALBIS, 99<sup>th</sup> Dist.  
REP. ARCE, 4<sup>th</sup> Dist.  
REP. AYALA, 128<sup>th</sup> Dist.  
REP. BUTLER, 72<sup>nd</sup> Dist.  
REP. CLEMONS, 124<sup>th</sup> Dist.  
REP. CUEVAS, 75<sup>th</sup> Dist.  
REP. D'AGOSTINO, 91<sup>st</sup> Dist.  
REP. DILLON, 92<sup>nd</sup> Dist.  
REP. ESPOSITO, 116<sup>th</sup> Dist.

REP. GONZALEZ, 3<sup>rd</sup> Dist.  
REP. HOLDER-WINFIELD, 94<sup>th</sup> Dist.  
REP. LEMAR, 96<sup>th</sup> Dist.  
REP. LOPES, 24<sup>th</sup> Dist.  
REP. MCGEE, 5<sup>th</sup> Dist.  
REP. MILLER P., 145<sup>th</sup> Dist.  
REP. MORRIS, 140<sup>th</sup> Dist.  
REP. SANCHEZ, 25<sup>th</sup> Dist.  
REP. SANTIAGO, 130<sup>th</sup> Dist.  
REP. SANTIAGO, 84<sup>th</sup> Dist.  
REP. STALLWORTH, 126<sup>th</sup> Dist.  
REP. TONG, 147<sup>th</sup> Dist.  
REP. VARGAS, 6<sup>th</sup> Dist.  
REP. WALKER, 93<sup>rd</sup> Dist.

To: Subst. House Bill No. 6495

File No. 368

Cal. No. 248

### **"AN ACT CONCERNING REVISIONS TO THE MOTOR VEHICLE STATUTES."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2015*) (a) As used in this  
4 section:

5 (1) "Primary proof of identity" means documentation indicating the  
6 identity of an applicant for a motor vehicle operator's license in the  
7 form of (A) a valid foreign passport issued by an applicant's country of  
8 citizenship that is unexpired or expired for less than three years before  
9 an application for such motor vehicle operator's license, (B) a valid,  
10 unexpired consular identification document issued by an applicant's  
11 country of citizenship, or (C) a consular report of an applicant's birth in  
12 a foreign country.

13 (2) "Secondary proof of identity" means documentation indicating  
14 the identity of an applicant for a motor vehicle operator's license in the  
15 form of (A) a valid, unexpired motor vehicle operator's license, with  
16 security features, issued by another state or country, (B) a valid foreign  
17 voter registration card, (C) a certified copy of a marriage certificate  
18 issued by any state or territory of the United States, or any political  
19 subdivision thereof, including any county, city or town, (D) a certified  
20 school transcript, or (E) a baptismal certificate or any similar  
21 document.

22 (3) "Proof of residency" means a piece of mail or electronic mail that  
23 includes an applicant's name and address, indicates that such  
24 applicant resides in the state and is dated, unless otherwise indicated,  
25 not earlier than ninety days before an application for a motor vehicle  
26 operator's license, from any two of the following sources: (A) A bill  
27 from a bank or mortgage company, utility company, credit card  
28 company, doctor or hospital; (B) a bank statement or bank transaction  
29 receipt showing the bank's name and mailing address; (C) a preprinted  
30 pay stub; (D) a property or excise tax bill dated not earlier than twelve  
31 months before such application; (E) an annual benefits summary  
32 statement from the Social Security Administration or other pension or  
33 retirement plan dated not earlier than twelve months before such  
34 application; (F) a Medicaid or Medicare benefit statement; (G) a current  
35 homeowner's insurance or renter's insurance policy or motor vehicle  
36 insurance card or policy dated not earlier than twelve months before  
37 such application; (H) a residential mortgage or similar loan contract,

38 lease or rental contract showing signatures from all parties needed to  
39 execute the agreement dated not earlier than twelve months before  
40 such application; (I) any postmarked mail; (J) a change of address  
41 confirmation from the United States Postal Service indicating an  
42 applicant's current and prior address; (K) a survey of an applicant's  
43 real property issued by a licensed surveyor; or (L) any official school  
44 records showing enrollment.

45 (b) (1) Notwithstanding any provision of the general statutes or any  
46 regulation, the Commissioner of Motor Vehicles shall not decline to  
47 issue a motor vehicle operator's license to any applicant who meets the  
48 licensure requirements provided in section 14-36 of the general statutes  
49 but who cannot establish that he or she is legally present in the United  
50 States or does not have a Social Security number if such applicant (A)  
51 submits proof of residency in the state, (B) submits either two forms of  
52 primary proof of identity or one form of primary proof of identity and  
53 one form of secondary proof of identity, and (C) files an affidavit with  
54 the commissioner attesting that such applicant has filed an application  
55 to legalize his or her immigration status or will file such an application  
56 as soon as he or she is eligible to do so. Any form of primary proof of  
57 identity, secondary proof of identity or proof of residency submitted to  
58 the commissioner that is in a language other than English shall be  
59 accompanied by a certified English translation of such document  
60 prepared by a translator approved by the commissioner.

61 (2) The commissioner shall not issue a motor vehicle operator's  
62 license under this section to any applicant who has been convicted of  
63 any felony in Connecticut.

64 (3) The commissioner shall administer a knowledge test to any such  
65 applicant after such applicant has submitted proof of residency and  
66 proof of identity that satisfy the requirements of this section. Not later  
67 than thirty days after such applicant has passed such knowledge test,  
68 the commissioner shall determine whether such applicant has been  
69 convicted of any felony in Connecticut by searching the electronic  
70 criminal record system maintained on the Internet web site of the

71 Judicial Department for convictions matching such applicant's name  
72 and date of birth. If such applicant has not been convicted of any such  
73 felony, the commissioner shall mail the applicant an adult instruction  
74 permit or youth instruction permit. The commissioner shall not refund  
75 the application fee of any applicant who fails a knowledge test or has  
76 been convicted of any such felony.

77 (c) Any motor vehicle operator's license issued pursuant to this  
78 section shall include an indication on such license that such license  
79 shall not be acceptable for federal identification purposes.

80 (d) Any motor vehicle operator's license issued under this section  
81 shall expire from three to six years after the date of issuance and may  
82 be renewed every three years thereafter. The commissioner shall not  
83 renew any such operator's license unless the holder of such operator's  
84 license makes personal appearance and demonstrates proof of  
85 residency at the time of renewal.

86 (e) No motor vehicle operator's license issued pursuant to this  
87 section shall be used as identification for voting purposes.

88 (f) The commissioner shall place a restriction on each motor vehicle  
89 operator's license issued pursuant to this section, indicating that such  
90 motor vehicle operator's license is "for driving purposes only".

91 (g) The commissioner may adopt regulations in accordance with  
92 chapter 54 of the general statutes to implement the provisions of this  
93 section.

94 Sec. 2. Subsection (e) of section 14-36 of the general statutes is  
95 repealed and the following is substituted in lieu thereof (*Effective*  
96 *January 1, 2015*):

97 (e) (1) No motor vehicle operator's license shall be issued until (A)  
98 the applicant signs and files with the commissioner an application  
99 under oath, or made subject to penalties for false statement in  
100 accordance with section 53a-157b, and (B) the commissioner is satisfied

101 that the applicant is sixteen years of age or older and is a suitable  
102 person to receive the license. (2) [An] Except any applicant described  
103 in section 1 of this act, an applicant for a new motor vehicle operator's  
104 license shall, in the discretion of the commissioner, file, with the  
105 application, a copy of such applicant's birth certificate or other prima  
106 facie evidence of date of birth and evidence of identity. (3) Before  
107 granting a license to any applicant who has not previously held a  
108 Connecticut motor vehicle operator's license, or who has not operated  
109 a motor vehicle during the preceding two years, the commissioner  
110 shall require the applicant to demonstrate personally to the  
111 commissioner, a deputy or a motor vehicle inspector or an agent of the  
112 commissioner, in such manner as the commissioner directs, that the  
113 applicant is a proper person to operate motor vehicles of the class for  
114 which such applicant has applied, has sufficient knowledge of the  
115 mechanism of the motor vehicles to ensure their safe operation by him  
116 or her and has satisfactory knowledge of the laws concerning motor  
117 vehicles and the rules of the road. The knowledge test of an applicant  
118 for a class D motor vehicle operator's license may be administered in  
119 such form as the commissioner deems appropriate, including audio,  
120 electronic or written testing. Such knowledge test shall be  
121 administered in English, Spanish or any language spoken at home by  
122 at least one per cent of the state's population, according to statistics  
123 prepared by the United States Census Bureau, based on the most  
124 recent decennial census. If any such applicant has held a license from a  
125 state, territory or possession of the United States where a similar  
126 examination is required, or if any such applicant is a person honorably  
127 separated from the United States armed forces who applies within two  
128 years following the separation and who, prior to the separation, held a  
129 military operator's license for motor vehicles of the same class as that  
130 for which such applicant has applied, the commissioner may waive  
131 part or all of the examination. When the commissioner is satisfied as to  
132 the ability and competency of any applicant, the commissioner may  
133 issue to such applicant a license, either unlimited or containing such  
134 limitations as the commissioner deems advisable, and specifying the  
135 class of motor vehicles which the licensee is eligible to operate. (4) If

136 any applicant or operator license holder has any health problem which  
137 might affect such person's ability to operate a motor vehicle safely, the  
138 commissioner may require the applicant or license holder to  
139 demonstrate personally or otherwise establish that, notwithstanding  
140 such problem, such applicant or license holder is a proper person to  
141 operate a motor vehicle, and the commissioner may further require a  
142 certificate of such applicant's condition, signed by a medical authority  
143 designated by the commissioner, which certificate shall in all cases be  
144 treated as confidential by the commissioner. A license, containing such  
145 limitation as the commissioner deems advisable, may be issued or  
146 renewed in any case, but nothing in this section shall be construed to  
147 prevent the commissioner from refusing a license, either limited or  
148 unlimited, to any person or suspending a license of a person whom the  
149 commissioner determines to be incapable of safely operating a motor  
150 vehicle. Consistent with budgetary allotments, each motor vehicle  
151 operator's license issued to or renewed by a deaf or hearing impaired  
152 person shall, upon the request of such person, indicate such  
153 impairment. Such person shall submit a certificate stating such  
154 impairment, in such form as the commissioner may require and signed  
155 by a licensed health care practitioner. (5) The issuance of a motor  
156 vehicle operator's license to any applicant who is the holder of a  
157 license issued by another state shall be subject to the provisions of  
158 sections 14-111c and 14-111k.

159 Sec. 3. (*Effective from passage*) (a) There is established a working  
160 group to examine methods to verify foreign documents submitted to  
161 the Department of Motor Vehicles by applicants applying for motor  
162 vehicle operators' licenses, pursuant to section 1 of this act, who cannot  
163 establish their legal presence in the United States and who do not have  
164 Social Security numbers. Such examination shall include, but not be  
165 limited to, a review of methods used for verification of foreign  
166 documents by other states and the federal government and an analysis  
167 of issues concerning the implementation of a foreign document  
168 verification process by the department.

- 169 (b) The working group shall consist of the following members:
- 170 (1) One appointed by the speaker of the House of Representatives;
- 171 (2) One appointed by the president pro tempore of the Senate;
- 172 (3) One appointed by the majority leader of the House of  
173 Representatives;
- 174 (4) One appointed by the majority leader of the Senate;
- 175 (5) One appointed by the minority leader of the House of  
176 Representatives;
- 177 (6) One appointed by the minority leader of the Senate; and
- 178 (7) The Commissioner of Motor Vehicles, or the commissioner's  
179 designee.
- 180 (c) Not less than two members of the working group appointed  
181 under subdivisions (1) to (6), inclusive, of subsection (b) of this section  
182 shall have expertise in the evaluation and verification of foreign  
183 identification documents.
- 184 (d) All appointments to the working group shall be made not later  
185 than thirty days after the effective date of this section. Any vacancy  
186 shall be filled by the appointing authority.
- 187 (e) The speaker of the House of Representatives and the president  
188 pro tempore of the Senate shall select the chairpersons of the working  
189 group from among the members of the working group. Such  
190 chairpersons shall schedule the first meeting of the working group,  
191 which shall be held not later than sixty days after the effective date of  
192 this section.
- 193 (f) Not later than February 1, 2014, the working group shall prepare  
194 a report on its findings and recommendations. The working group  
195 shall terminate on the date that it prepares such report or February 1,

196 2014, whichever is later."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2015</i>	New section
Sec. 2	<i>January 1, 2015</i>	14-36(e)
Sec. 3	<i>from passage</i>	New section